

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

|                         |   |                           |
|-------------------------|---|---------------------------|
| WILLIE McCRAY, #183709, | ) |                           |
|                         | ) |                           |
| Petitioner,             | ) |                           |
|                         | ) |                           |
| v.                      | ) | CASE NO. 1:06-CV-1107-WKW |
|                         | ) |                           |
| WILLIE THOMAS, et al.,  | ) |                           |
|                         | ) |                           |
| Respondents.            | ) |                           |

**ORDER ON MOTION**

On February 7, 2007, the petitioner filed a motion for order in which he requests that this court order production of the entire trial record due to his assertion of claims of ineffective assistance of counsel (Court Doc. No. 16). This case is presently pending on the respondents' argument that the instant habeas petition is time-barred. The order of procedure requires production of the entire record only where "claims must be addressed on the merits." *Order of January 9, 2007 - Court Doc. No. 9* at 7. Thus, at this stage of the proceedings, production of the trial record is not necessary to disposition of the issues pending before this court. Accordingly, it is

ORDERED that the motion for order be and is hereby DENIED.

Done this 8th day of February, 2007.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE